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### REMARKS

The Applicants appreciate the Examiner's thorough examination of the subject application and revision of original Group 1 to incorporate the subject matter of original Groups 3 and 6. Applicants request reconsideration of the subject application based on the following remarks.

The Applicants appreciate the Examiner's thorough examination of the subject application and the indication that claims 27 and 35 would be in a condition for allowance if rewritten in independent form. Applicants further request reconsideration of the subject application based on the instant amendments and following remarks.

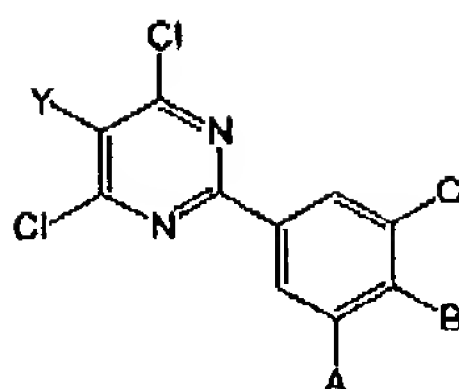
It is believed the amendments may be properly entered at this time, i.e. after final rejection, pursuant to 37 CFR §1.116, because the amendments do not require a new search or raise any new issues, and they reduce issues for appeal. Entry of the amendments at this time is earnestly solicited.

Claims 1, 2, 9, 10, 13, 15, and 16 have been amended. No new matter has been added by the claim amendments. Support for the amendment to claims can be found in the claims as originally filed and throughout the specification.

Claims 1, 2, 4, 9-16, 24-26, and 30 were rejected under 35 U.S.C. §102(b) as being allegedly anticipated by Brunner et al. (U.S. Patent 4,648,896).

The compounds recited by the Brunner reference have two halogen substituents at the 4 and 6 position of the pyrimidine ring (e.g., the Brunner compounds typically have two chloro substituents at the 4 and 6 position of the pyrimidine ring). More particularly, compounds 55-57, 64, 66, and 68 recited by Brunner are represented by the formula:

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Compound #	Y	A	B	C
55	NH <sub>2</sub>	H	OMe	H
56	NMe <sub>2</sub>	OMe	H	H
57	OMe	H	F	H
64	NHMe	Me	H	Me
66	OMe	H	(HC≡C)C <sub>6</sub> H <sub>4</sub>	H
68	SMe	Cl	F	H

Thus, each of the compounds recited by Brunner comprise two halogen atoms at the 4 and 6 position of the pyrimidine ring.

In contrast, claims 1 and 9, as amended, provide compounds in which R<sub>3</sub> is selected from a Markush group of substituents which does not include halogen. That is, compounds of claim 1 and claim 9 to not encompass pyrimidine compounds in which R<sub>1</sub> and R<sub>3</sub> are both halogen.

Claim 2, as previously presented, provides compounds in which R<sub>2</sub> is optionally substituted phenyl or optionally substituted naphthyl.

In contrast, the compounds recited by Brunner comprise a Y residue that is connected to the pyrimidine ring through a heteroatom selected from N, O, or S (the Y residue corresponds to R<sub>2</sub> residue of the compounds of claim 2). Thus, Brunner neither teaches nor suggests the 2-(substituted phenyl)-5-phenyl-pyrimidine or 2-(substituted phenyl)-5-naphthyl-pyrimidine compounds provided by claim 2.

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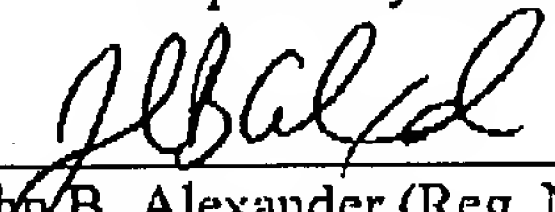
Thus Brunner fails to disclose or suggest the compounds provided by claim 1, 2, or 9, as amended. Thus claims 1, 2, and 9 are patentable over Brunner. Claims 4, 26-26 and 30 depend from claim 1 and claims 10-16 depend from claim 9 and are therefore also patentable over the Brunner document.

Applicants appreciate the indication that Group 1 of the restriction s has been reformulated to incorporate the subject matter of Groups 3 and 6. Applicants respectfully request rejoinder of Group 7 as that group was originally defined in the November 5, 2003 Office Action be rejoined with revised Group I. Applicants assert that multiple groups could be searched and examined together without undue burden. For instance, Groups 1 and 7 share a common classification (514 and 544), and said groups are drawn to claims which recite pyrimidine compounds having: (1) Ar selected from phenyl or naphthyl; (2) R<sub>2</sub> is selected from various groups including mono and disubstitued amino groups and alkoxy groups which do not comprise a heteroaryl or heterocyclic groups; and (3) R<sub>3</sub> is various groups in Group 1 including alkoxy. As such, the compounds in Groups 1 and 7 possess a common pyrimidine ring system having a common substitution pattern. Applicants believe that searching these additional claims will not pose an additional burden on the Examiner and request joining Groups 1 and 7.

Although it is not believed that any additional fees are needed to consider this submission, the Examiner is hereby authorized to charge our deposit account no. 04-1105 should any fee be deemed necessary.

Respectfully submitted,

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